

82D CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
No. 687

AUTHORIZING THE SECRETARY OF THE INTERIOR TO ISSUE A PATENT IN FEE TO JOSEPH PICKETT

JULY 10, 1951.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. MORRIS, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H. R. 3838]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 3838) authorizing the Secretary of the Interior to issue a patent in fee to Joseph Pickett, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

EXPLANATION OF THE BILL

The bill authorizes and directs the Secretary of the Interior to issue a patent in fee to Joseph Pickett for 720 acres of his land on the Crow Indian Reservation, Mont. This land was acquired by Mr. Pickett by an exchange with another Crow Indian allottee. No appropriation of Federal funds is required.

The report of the Department of the Interior which follows sets forth certain information regarding the homestead rights that are given up by Mr. Pickett with the issuance of a patent in fee on the described land. By way of explanation, it may be stated that Mr. Pickett exchanged his homestead for the land in question, and through inadvertence or error none of the 720 acres covered by the present bill was designated as a lieu homestead. The act of June 4, 1920, 41 Stat. 751, requires a Crow Indian allottee to retain 320 acres of his homestead land; therefore, the necessity for congressional approval of the patent in fee in the instant case inasmuch as the allottee is entitled to designate 320 of the 720 acres as a homestead. The passage of this bill, will therefore, leave Mr. Pickett without a 320-acre homestead.

The committee heard evidence and considered the report of the Department of the Interior and feels that approval of the issuance of a patent in fee in the instant case will be to the best interest of the Indian and others concerned.

The Committee on Interior and Insular Affairs unanimously reports and urges the passage of this bill.

The favorable report of the Department of the Interior reads as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 21, 1951.

Hon. JOHN R. MURDOCK,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives.*

MY DEAR MR. MURDOCK: Reference is made to your request for a report on H. R. 3838, a bill authorizing the Secretary of the Interior to issue a patent in fee to Joseph Pickett.

I recommend that the bill be enacted.

The bill would authorize and direct the Secretary of the Interior to issue a patent in fee to Joseph Pickett for 720 acres of his land on the Crow Reservation, Mont., acquired by exchange with Margaret Pickett, Crow Indian allottee No. 89, deed approved April 27, 1949. The bill covers all the remainder of his land. It has been reported that the alienation of the land would not adversely affect the interests of the Crow Indians. It also appears that Mr. Pickett is a competent person well able to conduct his business affairs without supervision by the Federal Government.

Through error, Mr. Pickett has disposed of his entire homestead allotment without designating a new homestead as required by law. An authorized sale of 320 acres of his homestead was approved on December 21, 1948. Subsequently, he sold 120 acres of his homestead land by deed approved in the field on January 7, 1949, and the remaining 200 acres were conveyed by deed approved in the field on April 27, 1949. The land described in H. R. 3838 covers his only possible "lieu" homestead designation to correct the prior mistakes.

The act of June 4, 1920 (41 Stat. 751), requires a Crow Indian allottee to retain 320 acres of his homestead land. Under these circumstances, it is recommended that Congress approve the issuance of a patent in fee to the only remaining land of Mr. Pickett, and specifically ratify the prior disposition of his homestead lands. This may be done by inserting in line 10 the following sentence: "The prior disposition of the homestead lands of Joseph Pickett is hereby ratified and confirmed."

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

DALE E. DOTY,
Assistant Secretary of the Interior.

○